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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,709	07/24/2001	Chang Kwon Lcc	P-0236	1806
34610	7590	03/12/2004	EXAMINER	
FLESHNER & KIM, LLP			ANWAH, OLISA	
P.O. BOX 221200			ART UNIT	
CHANTILLY, VA 20153			PAPER NUMBER	
			2645	
			DATE MAILED: 03/12/2004	

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/910,709

Applicant(s)

LEE ET AL.

Examiner

Olisa Anwah

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

Art Unit: 2645

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 2, 4, 6-10 and 17-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Himmel et al, U.S. Patent No. 6,622,015 (hereinafter Himmel).

Regarding claim 1, Himmel discloses a data file reproducing method for a personal terminal comprising providing a data file by connecting a data supplying server to a communication network; selecting a data file; connecting the data supplying server to a personal terminal; transferring the selected data file to the personal terminal and storing automatically the transferred data file in the personal terminal (see Figure 5).

Art Unit: 2645

Regarding claim 2, see Figures 5 and 6D. Also see column 6.

Regarding claim 4, see 802 from Figure 8.

Regarding claim 6, see 633 from Figure 6D.

Regarding claim 7, see Figure 6C.

Regarding claim 8, see Figure 6C. Also see col. 8, lines  
20-30.

Regarding claim 9, see Figure 1 and 5.

Regarding claim 10, see Figure 1.

Regarding claim 17, see Figure 5.

Regarding claim 18, see Figure 5.

Regarding claim 19, see col. 4, line 21.

Regarding claim 20, see Figure 5. Also see col. 8, lines  
20-30.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which  
forms the basis for all obviousness rejections set forth in this  
Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 2645

4. Claim 3 is rejected under 35 U.S.C § 103(a) as being unpatentable over Himmel.

Regarding claim 3, Himmel does not disclose the guide message comprises an audio message. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Himmel with an audio guide message. This modification would the personal terminal user to hear alerting signals.

5. Claims 5 and 11-16 are rejected under 35 U.S.C § 103(a) as being unpatentable over Himmel in view of Ekelund, U.S. Patent No. 5,630,205 (hereinafter Ekelund).

Regarding claim 5, Himmel discloses determining if the personal terminal can receive data files by sending an inquiry signal (see Figure 5). Himmel does not disclose if the personal terminal does not respond to the inquiry signal within a certain period, the personal terminal transfers a response signal automatically while connecting. However Ekelund discloses this limitation (column 4). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Himmel with the response signal taught by

Art Unit: 2645

Ekelund. This modification allows callers to leave voice messages as suggested by Himmel and Ekelund.

Regarding claim 14, Himmel discloses a data reproducing apparatus for a personal terminal comprising a wireless transceiver that transfers and receives data files to and from a mobile communications network (see Figure 1); a storage device that stores the data file received through the wireless transceiver (see Figure 3); a controller that searches the data files received through the wireless transceiver (see Figure 6C).

Himmel does not explicitly teach the apparatus comprises a codec that compresses and amplifies a signal received by the wireless transceiver; a storage device that stores the signal compressed in the codec unit; a controller that controls the storage of the data files if the data files has the compression format and controls the compression, amplification and storage of the signal received by the wireless transceiver; a decoder for decoding the data transferred from the wireless transceiver and outputted through the decoder as an audio or video signal. However Ekelund discloses these limitations (see Figure 1, abstract and columns 3-5). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Himmel with the personal terminal taught by

Art Unit: 2645

Ekelund. This modification minimizes the cost or size of a mobile unit as suggested by Ekelund.

Regarding claim 15, see column 4 of Ekelund.

Regarding claim 16, see Figure 6C of Himmel.

Claim 11 is rejected for the same reasons as claim 14.

Claim 12 is rejected for the same reasons as claim 15.

Regarding claim 13, see column 4 of Ekelund.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Application/Control Number: 09/910,709

Page 7

Art Unit: 2645

O.A.

Olisa Anwah  
Patent Examiner  
March 4, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

